

property under the administrative jurisdiction of the National Oceanic and Atmospheric Administration (in this section referred to as "NOAA"), including land and improvements thereon, located at 538 Front Street, Norfolk, Virginia, consisting of approximately 3.78 acres, if the Secretary—

(1) determines that the conveyance is in the best interests of NOAA and the Federal Government; and

(2) has provided prior notification to the Committee on Natural Resources and the Committee on Appropriations of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate.

(b) CONSIDERATION.—

(1) IN GENERAL.—For any conveyance under this section the Secretary shall require the City of Norfolk to provide consideration to the United States that is not less than the fair market value of the property conveyed by the United States.

(2) FORM.—Consideration under this subsection may include any combination of—

(A) cash or cash equivalents;

(B) other property (either real or personal); and

(C) consideration in-kind, including—

(i) provision of space, goods, or services of benefit to NOAA including construction, repair, remodeling, or other physical improvements of NOAA property;

(ii) maintenance of NOAA property;

(iii) provision of office, storage, or other useable space; or

(iv) relocation services associated with conveyance of property under this section.

(3) DETERMINATION OF FAIR MARKET VALUE.—The Secretary shall determine fair market value for purposes of paragraph (1) based upon a highest- and best-use appraisal of the property conveyed under subsection (a) conducted in conformance with the Uniform Appraisal Standards for Professional Appraisal Practice.

(c) USE OF PROCEEDS.—Amounts received under subsection (b)(2)(A) by the United States as proceeds of any conveyance under this section shall be available to the Secretary, subject to appropriation, for—

(1) activities related to the operations of, or capital improvements, to NOAA property; or

(2) relocation and other costs associated with the sale or exchange.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance of property by the United States under subsection (a) as the Secretary considers appropriate to protect the interest of the United States, including the recoupment of any profit the City of Norfolk may realize within three years after the date of conveyance to the City due to resale of the property

(e) TERMINATION.—The authority granted to the Secretary under subsections (a) and (b) shall terminate at the end of the 24-month period beginning on the date of enactment of this Act if no contract for sale or exchange under subsection (a) has been entered into by the City of Norfolk and the United States.

The SPEAKER pro tempore. Pursuant to the rule, gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Alaska (Mr. YOUNG) each will control 20 minutes

The Chair recognizes the gentlewoman from Guam.

GENERAL LEAVE

Ms. BORDALLO. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in

which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Guam?

There was no objection.

Ms. BORDALLO. Madam Speaker, H.R. 6159 provides for a land exchange between the Forest Service and Solano County, California.

Solano County has a special use permit for the Fouts Springs Youth Correctional Facility on 82 acres of land in the Mendocino National Forest. The county has been working diligently for many years to acquire wilderness quality forest lands to exchange with the Forest Service in order to acquire the lands occupied by the youth correctional facility.

Madam Speaker, we believe that there are numerous public benefits to this land exchange. An analysis produced by the Forest Service found that this land exchange would benefit their hazardous fuels program to reduce the threat of catastrophic fire, and the land exchange would be of equal value.

Furthermore, the lands the Forest Service would acquire are wilderness-quality lands bordering the Snow Mountain Wilderness Area and have been identified as priority areas for land acquisition by the Forest Service dating as far back as 1992.

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Madam Speaker, the chairman of the Committee on Education and Labor, Representative GEORGE MILLER, is to be commended for his efforts on behalf of Solano County and this youth facility.

I ask my colleagues to support passage of this measure.

Madam Speaker, I reserve the balance of my time.

Mr. YOUNG of Alaska. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, this is an effort that's been adequately explained, and I support the legislation.

Mr. GEORGE MILLER of California. Madam Speaker, I rise in strong support of H.R. 6159, the Deafy Glade Land Exchange Act.

The Fouts Springs Youth facility has been managed by Solano County, Colusa County, and their partners for nearly fifty years. The bill before the House today guarantees that they can continue their good work.

Fouts Springs has helped rehabilitate California's young offenders, and provided youths from across the state with much-needed structure and significant vocational education opportunities.

Presently, Solano County operates Fouts Springs on behalf of several other California counties under a special use authorization.

H.R. 6159, the Deafy Glade Land Exchange Act, will give Solano County the 82 acres that they use at Fouts Springs, and in exchange would give to the Mendocino National Forest 160 acres of nearby land known as Deafy Glade.

The Deafy Glade property has access to the Snow Mountain Wilderness Area, and has

been a high priority for acquisition by the Forest Service since at least the early 1990s. As we learned in testimony before the Natural Resources Committee by Solano County Supervisor John Vasquez, the Deafy Glade parcels would be a key addition to the Mendocino National Forest's trail system.

The bill before the House today contains several small changes from the legislation as introduced, which should ensure that Solano County can continue to operate Fouts Springs as they do today.

I want to thank Chairman NICK RAHALL, Subcommittee Chairman RAUL GRIJALVA, and the Natural Resources Committee staff, for all of the time and energy they have spent with me and with my staff to improve this legislation and help move it forward. I also want to thank Ranking Members DON YOUNG and ROB BISHOP for their efforts. In particular, I want to recognize the efforts of Meghan Conklin and David Watkins from Chairman Grijalva's staff, as well as the work of my legislative director, Ben Miller.

I urge my colleagues to support the Deafy Glade Land Exchange Act, and I look forward to passage of this legislation.

Mr. YOUNG of Alaska. Madam Speaker, I yield back the balance of my time.

Ms. BORDALLO. Madam Speaker, I again urge all of the Members to support the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 6159, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

## TRAIL OF TEARS DOCUMENTATION ACT

Ms. BORDALLO. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 5335) to amend the National Trails System Act to provide for the inclusion of new trail segments, land components, and campgrounds associated with the Trail of Tears National Historic Trail, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5335

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Trail of Tears Documentation Act".*

### SEC. 2. ADDITIONS TO TRAIL OF TEARS NATIONAL HISTORIC TRAIL.

*Section 5(a)(16) of the National Trails System Act (16 U.S.C. 1244(a)(16)) is amended as follows:*

*(1) By amending subparagraph (C) to read as follows:*

*"(C) In addition to the areas otherwise designated under this paragraph, the following routes and land components by which the Cherokee Nation was removed to Oklahoma are components of the Trail of Tears National Historic*

Trail, as generally described in the environmentally preferred alternative of the November 2007 Feasibility Study Amendment and Environmental Assessment for Trail of Tears National Historic Trail:

“(i) The Benge and Bell routes.

“(ii) The land components of the designated water routes in Alabama, Arkansas, Oklahoma, and Tennessee.

“(iii) The routes from the collection forts in Alabama, Georgia, North Carolina, and Tennessee to the emigration depots.

“(iv) The related campgrounds located along the routes and land components described in clauses (i) through (iii).”.

(2) In subparagraph (D)—

(A) by striking the first sentence; and

(B) by adding at the end the following: “No lands or interests in lands outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for the Trail of Tears National Historic Trail except with the consent of the owner thereof.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Alaska (Mr. YOUNG) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

#### GENERAL LEAVE

Ms. BORDALLO. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Guam?

There was no objection.

Ms. BORDALLO. Madam Speaker, H.R. 5335, introduced by our colleague from Tennessee, Representative WAMP, implements the recommendations of a National Park Service study that examined the possibility of adding several side trails associated with the Trail of Tears National Historic Trail.

Congress designated the original National Historic Trail in 1987 to commemorate the two main routes used during the forced removal of more than 15,000 Cherokee Indians from their ancestral homelands in the southeastern United States. At that time, many of the side routes used during the removal were not well documented.

Subsequent research has identified these routes, and in 2006 Congress directed the National Park Service to determine which, if any, of these routes would be eligible for addition to the existing trail.

The National Park Service found a number of components eligible for designation and recommended adding routes in Tennessee and Alabama. H.R. 5335 adds those routes to the existing trail.

I ask my colleagues to support passage of this measure.

Madam Speaker, I reserve the balance of my time.

Mr. YOUNG of Alaska. Madam Speaker, I yield myself such time as I may consume.

This legislation, H.R. 5335, has been explained by the good manager of the bill, and we support the legislation.

I would like to, at this time, acknowledge the bill's author, Congressman ZACH WAMP, and of course Congressman SHULER. Both of them have asked me and asked the leadership of the Resources Committee to move this legislation.

I support the legislation because it does recognize the angst of those that marched on this trail. I strongly compliment both of those gentlemen for their hard work.

Mr. SHULER. Madam Speaker, I rise today to voice my strong support for H.R. 5335, the Trail of Tears Documentation Act. As a co-sponsor of this legislation, I feel that it is imperative that Congress make it a priority to protect and preserve these historic routes.

H.R. 5335 amends the National Trails System Act to provide for the inclusion of new trail segments, land components, and campsites associated with the Trail of Tears National Historic Trail.

The Trail of Tears was a significant and shameful chapter in American history. In 1838–1839, the U.S. Government forcibly removed Cherokee Indians from their ancestral homelands in western North Carolina and other parts of the southeastern United States and resettled them in Indian Territory west of the Mississippi River. Over 15,000 Cherokees were systematically rounded up from their homes and forced to travel by foot, horseback, boat, and wagon across the southern U.S. to Indian Territory. More than 1,000 people died from exposure, illness, and exhaustion during the roundup and removal.

I am proud to have grown up alongside the Qualla Boundary in western North Carolina, home to the Eastern Band of Cherokee Indians. The EBCI are descended from the Cherokee who resisted removal by taking to their ancestral mountains, where they still live to this day and keep alive the traditions and values of their forefathers.

The Trail of Tears Act designated two primary travel routes, the northern land route and the water routes. This amendment specifically adds other significant routes that were used by the Cherokee during the resettlement. These include: the Bell and Benge routes, the land components of the water routes, the routes from the roundup forts and camps in Alabama, Georgia, North Carolina, and Tennessee, and the related campsites located along the routes and land components.

I am a proud co-sponsor of this bill, and I commend Congressman ZACH WAMP for introducing this legislation and fighting to ensure its passage in the 110th Congress. I ask that my colleagues join me in honoring the memory of all of the Cherokee who suffered during the removal on the Trail of Tears.

Mr. WAMP. Madam Speaker, I'd like to thank Chairman RAHALL and Ranking Member YOUNG and their staff for their help. I'd also like to thank all 21 cosponsors for their involvement and especially Congressman HEATH SHULER, who helped me champion this very worthy initiative. Most of all, I would like to thank Principal Chief of the Cherokee Nation, Chad Smith and Principal Chief of the Eastern Band of Cherokee, Michell Hicks, as well as the National and State Trail of Tears Associations.

I am very proud of H.R. 5335, the Trail of Tears Documentation Act and count it as a great privilege to be the lead sponsor. When

I was a little boy, my mother told me of my own Cherokee heritage. Her grandfather, Luna Meadows was half Cherokee. His mother, Little Flower, was a full-blooded Cherokee midwife. So completing the story of the Cherokee Removal is personal for me and very important for our country as the Trail of Tears and the forced removal is one of the seminal injustices in American history. It must be told accurately, honestly and completely. I urge passage of this bill and enactment of the legislation.

This bill is the subsequent measure to H.R. 3085, the Trail of Tears Study Act which was signed into law in December 2006. H.R. 3085 directed the National Park Service to complete a study on expanding the current Trail of Tears National Historic Trail to include previously omitted components. In 1987 when the original Trail was designated, the historical documentation available for these known passages was sparse and ambiguous. Since that time however, significant research on the proposed additions has been documented by National Park Service historians through military journals, newspaper accounts and vouchers—compelling us to reconsider these passages. In fact, the NPS has noted that now these proposed trails are better documented than the primary routes that currently make up the Trail of Tears.

The Cherokee removal is only one tribe's story of the Indian Removal Act of 1830, but it is the most visible in American history. It is not just an Arkansas and Oklahoma story; it started in North Carolina, Tennessee, Georgia and Alabama. These distinct routes and campgrounds proposed in the Trail of Tears Documentation Act more fully reflect this tragic saga of a proud people's forced removal. The story is not yet complete until we commemorate the full experience.

The arteries I want to highlight are the detachments led by John Benge that traveled 734 miles starting at Fort Payne, Alabama continuing through Tennessee, Kentucky, Missouri, Arkansas and Oklahoma. And the Treaty Party Group led by John Bell which traveled 765 miles starting at Charleston, Tennessee crossing west over Moccasin Bend and traveling through Arkansas. It was the only one of the 17 detachments that did not disband in Oklahoma.

Also included are 29 forts and the emigration depots concentrated around Fort Payne, Alabama; Ross's Landing—present day Chattanooga, Tennessee; and Fort Cass—present day Charleston, Tennessee where the Cherokee initially were taken after being rounded up from their homes for the long journey west.

The National Park Service has demonstrated strong partnerships geared toward respecting the private property of citizens in its administering of the current Trail of Tears National Historic Trail and will continue to do so upon the addition of the Benge, Bell Routes and associated components. In fact, as the NPS traveled throughout the U.S. conducting public hearings on the proposal in the designated areas, the support and belief in this initiative were overwhelming.

The designation and interpretation of the additional sites and trails associated with the Cherokee Removal will enhance public understanding of American history. Our greatness as a nation is our ability to look at our own history objectively and in proper perspective, being mindful of the errors of the past in order

not to repeat them. Through this legislation we will honor the historic footsteps taken by the Cherokee and celebrate our future as we remember the past.

Finally, because of historical significance, H.R. 5335 enjoys broad support not only within Congress, but also with the Cherokee Nation, Eastern Band of Cherokee and associated trail organizations. The legislation is a good example of how Congress can better understand a national event through an accurate portrayal of the people, the places and the actions involved. We can learn a lot from history and in this case, ensure that it will never be repeated.

Mr. YOUNG of Alaska. Madam Speaker, I yield back the balance of my time.

Ms. BORDALLO. Madam Speaker, I again urge Members to support the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 5335, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### CAMP HALE STUDY ACT

Ms. BORDALLO. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3336) to direct the Secretary of the Interior to carry out a study to determine the suitability and feasibility of establishing a historic district to the Camp Hale on parcels of land in the State of Colorado, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3336

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Camp Hale Study Act".*

#### SEC. 2. SPECIAL RESOURCE STUDY OF THE SUITABILITY AND FEASIBILITY OF ESTABLISHING CAMP HALE AS A UNIT OF THE NATIONAL PARK SYSTEM.

(a) *IN GENERAL.*—The Secretary of the Interior, acting through the Director of the National Park Service, (hereinafter referred to as the "Secretary") shall complete a special resource study of Camp Hale to determine—

(1) the suitability and feasibility of designating Camp Hale as a separate unit of the National Park System; and

(2) the methods and means for the protection and interpretation of Camp Hale by the National Park Service, other Federal, State, or local government entities or private or nonprofit organizations.

(b) *STUDY REQUIREMENTS.*—The Secretary shall conduct the study in accordance with section 8(c) of Public Law 91-383 (16 U.S.C. 1a-5).

(c) *REPORT.*—Not later than 3 years after the date on which funds are made available to carry out this Act, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report containing—

- (1) the results of the study; and
- (2) any recommendations of the Secretary.

#### SEC. 3. EFFECT OF STUDY.

*Nothing in this Act shall affect valid existing rights, including—*

(1) all interstate water compacts in existence on the date of the enactment of this Act (including full development of any apportionment made in accordance with the compacts);

(2) water rights decreed at the Camp Hale site or flowing within, below, or through the Camp Hale site;

(3) water rights in the State of Colorado;

(4) water rights held by the United States; and

(5) the management and operation of any reservoir, including the storage, management, release, or transportation of water.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Alaska (Mr. YOUNG) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

#### GENERAL LEAVE

Ms. BORDALLO. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Guam?

There was no objection.

Ms. BORDALLO. Madam Speaker, H.R. 3336 was introduced by our colleague from Colorado, Representative DOUG LAMBORN. The bill directs the National Park Service to study how best to preserve Camp Hale near Leadville, Colorado.

Camp Hale operated from 1942 to 1965 as a winter and a high-altitude training venue for the 10th Mountain Division and other elements of the U.S. Armed Forces.

The 250,000-acre camp was also used by the Central Intelligence Agency as a secret center for training Tibetan refugees in guerilla warfare to resist the Chinese occupation.

The lands were returned to the Forest Service in 1966. Today, the camp is part of the White River and San Isabel National Forest. Camp Hale was placed on the National Register of Historic Places in 1992.

Madam Speaker, I urge my colleagues to support passage of this measure, and I reserve the balance of my time.

Mr. YOUNG of Alaska. Madam Speaker, I yield myself such time as I may consume.

I want to thank Congressman LAMBORN for initiating this National Park Service study of Camp Hale so Americans can appreciate the events that occurred during World War II and the Cold War because people forget about the Cold War. A lot of activity went on.

The Tennessee Pass and Camp Hale served as the training site for the 10th Mountain Division, a specialized skiing unit whose heroism during World War II inspired our Nation. Later the site was used for covert training operations

furthering the cause of freedom during the Cold War.

Colorado today benefits from the ski area and the educational opportunities presented by this unique landmark. Listing Tennessee Pass and Camp Hale as a unit of the National Park Service will allow us to learn about and experience this unique piece of history.

Madam Speaker, I urge passage of this legislation and yield back the balance of my time.

Ms. BORDALLO. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 3336, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to direct the Secretary of the Interior to carry out a study to determine the suitability and feasibility of establishing Camp Hale as a unit of the National Park System."

A motion to reconsider was laid on the table.

#### BOX ELDER UTAH LAND CONVEYANCE ACT

Ms. BORDALLO. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3849) to provide for the conveyance of parcels of land to Mantua, Box Elder County, Utah, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3849

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Box Elder Utah Land Conveyance Act".*

#### SEC. 2. CONVEYANCE OF CERTAIN LANDS TO MANTUA, BOX ELDER, UTAH.

(a) *CONVEYANCE REQUIRED.*—The Secretary of Agriculture shall convey, without consideration, to the town of Mantua, Utah (in this section referred to as the "town"), all right, title, and interest of the United States in and to parcels of National Forest System land in the Wasatch-Cache National Forest in Box Elder County, Utah, consisting of approximately 31.5 acres within section 27, township 9 north, range 1 west, Salt Lake meridian and labeled as parcels A, B, and C on the map entitled "Box Elder Utah Land Conveyance Act" and dated July 14, 2008.

(b) *SURVEY.*—If necessary, the exact acreage and legal description of the lands to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the town.

(c) *USE OF LAND.*—As a condition of the conveyance under subsection (a), the town shall use the land conveyed under such subsection for public purposes.

(d) *REVERSIONARY INTEREST.*—In the quitclaim deed to the town prepared as part of the conveyance under subsection (a), the Secretary shall provide that the land conveyed to the town under such subsection shall revert to the Secretary, at the election of the Secretary, if the land is used for other than public purposes.